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Notice of Allowability	Application No.	Applicant(s)	
	10/042,580	LOOSE, TIMOTHY C.	
	Examiner	Art Unit	
	Corbett B. Coburn	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 18 Nov 04 Amendment.
2. ☒ The allowed claim(s) is/are 1-7 and 19-31.
3. ☒ The drawings filed on 09 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION***Claim Interpretation***

1. In the previous amendment, Applicant added the limitation, “wherein the one of the plurality of display indicia is selected from the plurality of display indicia based on which of the plurality of sensors detects the first signal.” At first glance, neither this nor “a plurality of display indicia” is supported by the specification. Applicant only discloses using lights as display indicia. These limitations are only supported if Examiner interprets the disclosed right-to-left lamp sequence to be one indicium and the left-to-right lamp sequence to be another. In essence, the right-to-left lighting sequence is like an arrow pointing left and the left-to-right lighting sequence is like an arrow pointing left. (Examiner is aware that these sequences are not described as arrows in the specification – they are not described at all. The arrow concept may, however, clarify Examiner’s interpretation of the claims.)

Allowable Subject Matter

2. Claims 1-7 & 19-31 are allowed.

3. The following is an examiner’s statement of reasons for allowance: A thorough search of the prior art fails to disclose any reference or references, which, taken alone or in combination, teach or suggest, in combination with the other limitations, having the one of the plurality of display indicia be selected from the plurality of display indicia based on which of the plurality of sensors detects the first signal.

4. As explained above, Examiner believes this to refer to the right- to-left lamp sequence and the left-to-right lamp sequence. The nearest prior art, Gomez, discloses the use of text or other graphics. (Paragraph 0036) Clearly, Gomez is capable of displaying the right- to-left lamp

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sequence and the left-to-right lamp sequence. Furthermore, having arrows or their equivalents point out the winning machine is in keeping with the teachings of the art – the art is replete with teachings to point out the winning machine in order to generate excitement. The Examiner must also admit that the use of arrows to indicate things is notoriously well known.

On the other hand, there is no specific suggestion in the art to use arrows or their equivalents in the manner described. Nor are the right- to-left lamp sequences and the left-to-right lamp sequences actually described as arrows. Therefore, Examiner cannot reject the claims using the arrow concept without impermissible hindsight.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (571) 272-4447. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

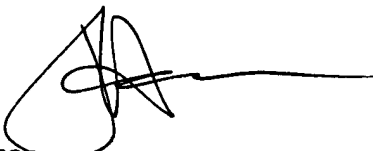
If attempts to reach the examiner by telephone are unsuccessful, the examiner’s primary, Jessica Harrison can be reached on (571)272-4449. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



cbc



JESSICA HARRISON
PRIMARY EXAMINER